

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE AMERICAN EXPRESS ANTI-
STEERING RULES ANTITRUST
LITIGATION (II)

Master File No.: 11-MD-02221-NGG-RER

This Document Relates to:

INDIVIDUAL MERCHANT ACTIONS

Rite Aid Corporation, et al. v. American Express Travel Related Services Co., Inc., 08-cv-2315-NGG-RER

CVS Pharmacy, Inc. v. American Express Travel Related Services Co., Inc., 08-cv-02316-NGG-RER

Walgreen Co. v. American Express Travel Related Services Co., Inc., 08-cv-2317-NGG-RER

Bi-Lo, LLC v. American Express Travel Related Services Co., Inc., 08-cv-02380-NGG-RER

H.E. Butt Grocery Co. v. American Express Travel Related Services Co. Inc., 08-cv-02406-NGG-RER

The Kroger Co., Safeway, Inc., Ahold USA, Inc., Albertson's LLC, Hy-Vee, Inc., The Great Atlantic & Pacific Tea Company, Inc. v. American Express Travel Related Services Co., Inc., 11-cv-0337-NGG-RER

Meijer, Inc., Publix Super Markets, Inc., Raley's and SuperValu v. American Express Travel Related Services Co., Inc., 11-cv-0338-NGG-RER

~~PROPOSED~~ PRETRIAL SCHEDULE

Pre-Trial Event	Deadline
MPs file opening brief concerning summary judgment issues	August 19, 2015
Amex files opposition to MPs' summary judgment brief	October 2, 2015
MPs file oppositions to pending motions in limine and <i>Daubert</i> motions	October 2, 2015
Parties exchange trial witness lists, trial exhibit lists and deposition designations	October 16, 2015
Amex files replies to oppositions to pending motions in limine and <i>Daubert</i> motions	October 30, 2015
MPs file reply to Amex's opposition to MPs' summary judgment	October 30, 2015
Parties exchange any supplemental exhibit and witness lists	November 13, 2015
Parties exchange deposition counter-designations and objections to initial deposition designations	December 18, 2015
Parties exchange objections to trial exhibits	January 11, 2016
Parties exchange draft statements of undisputed facts relevant to their respective claims and defenses for pre-trial order	January 18, 2016
Parties exchange responsive deposition designations and objections to counter-designations	February 12, 2016
Parties exchange proposed edits, in redline, to statements of undisputed facts for pre-trial order	February 19, 2016
Parties exchange proposed stipulations regarding admissibility of trial exhibits	February 26, 2016
Each party designating trial exhibits or deposition testimony that a non-party designated as confidential shall give notice to the non-party that the materials may be publicly disclosed at trial	March 4, 2016
Parties conclude meet and confer regarding proposed stipulations and pre-trial order	March 18, 2016

Pre-Trial Event	Deadline
Any party or non-party must file any motions objecting to public disclosure at trial of any trial exhibits or designated deposition testimony (or, must file any stipulations and proposed orders regarding such materials)	March 25, 2016
Parties file pre-trial memoranda, joint pre-trial order, and statement of elements of each claim or defense and summary of facts relied upon to establish each element per Individual Rules V(A) & B	April 1, 2016
Parties file any oppositions to motions concerning public disclosure of exhibits and deposition testimony	April 15, 2016
Final pre-trial conference	Week of April 25, 2016
Trial	May 2, 2016

SO ORDERED:

Dated: July 21, 2015

/s/ Nicholas G. Garaufis

HON. NICHOLAS G. GARAUFI
UNITED STATES DISTRICT JUDGE